

**THE OFFICE OF REGULATORY STAFF  
DIRECT TESTIMONY AND EXHIBITS  
OF  
THOMAS H. ALLEN**



**DOCKET NO. 2008-401-C**

**Petition for a Rule to Show Cause as to Why  
the Certificates of Public Convenience and  
Necessity for Certain Providers of  
Telecommunications Service Should Not be  
Revoked**

**TESTIMONY OF THOMAS H. ALLEN**

**FOR**

**THE OFFICE OF REGULATORY STAFF**

**DOCKET NO. 2008-401-C**

**IN RE: PETITION FOR A RULE TO SHOW CAUSE AS TO WHY THE  
CERTIFICATES OF PUBLIC CONVENIENCE AND NECESSITY FOR  
CERTAIN PROVIDERS OF TELECOMMUNICATIONS SERVICE SHOULD  
NOT BE REVOKED**

**Q. PLEASE STATE YOUR NAME, BUSINESS ADDRESS AND  
OCCUPATION.**

A. My name is Thomas H. Allen. My business address is 1401 Main Street, Suite 900, Columbia, South Carolina 29201. I am employed by the state of South Carolina as the Tariff Administrator in the Telecommunications, Transportation, Water and Wastewater Department for the Office of Regulatory Staff ("ORS").

**Q. WHAT IS THE PURPOSE OF YOUR TESTIMONY IN THIS  
PROCEEDING?**

A. The purpose of my testimony is to present evidence that certain telecommunications companies subject to this Commission's jurisdiction have failed to file the Universal Service Fund Contribution Worksheet ("USF Report") with the ORS, which is the administrator of the Universal Service Fund ("USF").

**Q. DO PUBLIC SERVICE COMMISSION USF GUIDELINES REQUIRE  
TELECOMMUNICATIONS COMPANIES TO FILE THE UNIVERSAL  
SERVICE FUND CONTRIBUTION WORKSHEET?**

1 A. Yes. The Commission Guidelines approved in Order No. 2001-996, require each  
2 telecommunication company to file, on an annual basis, the information necessary  
3 to allow ORS to calculate the company's USF contribution.

4 **Q. AS PART OF YOUR JOB DUTIES, HAVE YOU REVIEWED THE USF**  
5 **REPORTS ON FILE WITH ORS?**

6 A. Yes. As part of my job duties, I reviewed each USF Report filed by telephone  
7 companies with the ORS. USF Reports were due from telephone companies on  
8 July 1, 2008. On August 5, 2008, I mailed each delinquent telephone company a  
9 letter to remind them of their obligation to return the USF Report.

10 **Q. PLEASE EXPLAIN EXHIBIT THA-1 ATTACHED TO YOUR**  
11 **TESTIMONY.**

12 A. Exhibit THA-1 identifies those telecommunication companies that failed to file the  
13 required USF Report at the time this testimony was prepared.

14 **Q. PLEASE EXPLAIN EXHIBIT THA-2 ATTACHED TO YOUR TESTIMONY.**

15 A. Exhibit THA-2 identifies telecommunication companies which have come into  
16 compliance by filing the required USF Report or have been granted a request to  
17 withdraw their certificate since the time of the initiation of this proceeding.

18 **Q. WHAT RESPONSE, IF ANY, HAS THE ORS RECEIVED FROM THE**  
19 **TELECOMMUNICATION COMPANIES NAMED IN THE RULE TO SHOW**  
20 **CAUSE PETITION?**

21 A. The ORS has received responses from some of the companies who have since come  
22 into compliance with Commission rules and regulations. To the extent additional  
23 companies come into compliance before the Commission hearing, ORS will present a

1 revised Exhibit THA-1 to accurately reflect only those companies who remain out of  
2 compliance during the Commission hearing.

3 **Q. WHAT ACTION DOES THE ORS RECOMMEND THAT THE**  
4 **COMMISSION TAKE?**

5 A. The ORS recommends that the Commission revoke the Certificates of Public  
6 Convenience and Necessity for those telecommunication companies who have not  
7 complied with the USF Report requirements as of the hearing date.

8 **Q. DOES THAT CONCLUDE YOUR TESTIMONY?**

9 A. Yes it does.

**COMPANIES OUT OF COMPLIANCE  
DOCKET #2008-401-C**

**EXHIBIT THA-1**

#	OrganizationName	Registered Agent	Secretary of State status	Foreign or Domestic	Docket #	Order #	Date Certificate Issued	Comments
1	Genesis Telecommunications Company, LLC Ken Jefferson - President PO Box 675 Greenwood SC 29648	Karen P Jefferson 211 Taggart Ave Greenwood SC 29646	Good Standing	Domestic	2000-350-C	2000-873	10/27/2000	
2	GTC Telecom Corporation Alice Breslow - President PO Box 1680 Costa Mesa CA 92626-4626	National Registered Agents Inc 2 Office Park Ct, Ste 103 Columbia SC 29223	Good Standing	Foreign	1999-82-C	1999-592	8/23/1999	
3	Touch Tone Communications Marchello Anzalone 16 South Jefferson Road Whippany, NJ 07981	TCS Corporate Services Inc 2 Office Park Ct, Ste 103 Columbia SC 29223	Good Standing	Foreign	2002-364-C	2003-310	5/7/2003	
4	Fonix Telecom Inc.	Corporation Service Co 1703 Laurel St Columbia SC 29201	Good Standing	Foreign	2005-192-C	2005-616	10/24/2005	Chapter 7 Bankruptcy Pending
5	LecStar Telecom, Inc.	CT Corporation System 75 Beattie Place Two Insignia Financial Plaza Greenville SC 29601	Forfeiture	Foreign	1999-443-C	2000-187	2/25/2000	Chapter 7 Bankruptcy Pending

**COMPANIES IN COMPLIANCE  
DOCKET #2008-401-C**

**EXHIBIT THA-2**

#	OrganizationName	Registered Agent	Secretary of State status	Foreign or Domestic	Docket #	Order #	Date Certificate Issued	Comments
1	AboveNet Communications, Inc. Keith Brann - Regulatory Affairs 360 Hamilton Avenue White Plains NY 10601	Corporation Service Co 1703 Laurel St Columbia SC 29201	Forfeiture	Foreign	2000-201-C	2000-660	8/15/00	
2	Concord Telephone Long Distance Company dba CTC Long Distance Services Jerry L. Weikle - Mgr. Reg. Affairs PO Box 227 Concord NC 28026-0227	McNair Law Firm PA 1301 Gervais St Columbia SC 29201	Merger	Foreign	1996-266-C	1997-75	1/28/97	
3	Credit Loans, Inc. dba Lone Star State Telephone Company Larry E. Miller - President 139 N Main St Conroe TX 77301	CT Corporation System 75 Beattie Place Two Insignia Financial Plaza Greenville SC 29601	Good Standing	Foreign	1999-507-C	2000-376	4/25/00	Commission Directive Issued on 12/3/08 Granting Request to Withdraw Certificate
4	Gold Line Telemanagement, Inc. Ata Moeini - President 180 W Beaver Creek Rd Richmond Hill ON L4B1B4	TCS Corporate Services Inc 2 Office Park Ct, Ste 103 Columbia SC 29223	Forfeiture	Foreign	2002-12-C	2004-48	2/3/04	
5	Go-Solo Technologies, Inc. Maxine Paul - Compliance Analyst 10701 Danka Way N, Ste 100 St Petersburg FL 33716	TCS Corporate Services Inc 2 Office Park Ct, Ste 103 Columbia SC 29223	Good Standing	Foreign	2004-17-C	2004-427	9/9/04	
6	QX Telecom, LLC Chaim Millstein 230 Fifth Avenue, Ste 800 New York, NY 10001	Capitol Corporate Services, Inc. 2 Office Park Ct, Ste 103 Columbia SC 29223	Good Standing	Foreign	2001-469-C	2002-366	5/12/02	
7	SimpleDSL, Inc. James A. Kenmore, Jr - Mgr PO Box 8088 Greenwood SC 29648	James A. Kenmore 333 Main St Greenwood SC 29649	Good Standing	Domestic	2002-386-C	2003-138	3/12/03	
8	Startec Global Licensing Company Lucy Mends - Reg Officer 7361 Calhoun Place, Suite 650 Rockville, MD 20855-2775	B. Allston Moore, Jr. 5 Exchange St Charleston SC 29401	Forfeiture	Foreign	1998-45-C	1998-576	7/28/98	
9	Yak Communications (America) Inc. Ben Rovet - Sr. Reg. Counsel 300 Consilium Place, Ste 500 Scarborough, ON M1H 3G2	Corporation Service Co 1703 Laurel St Columbia SC 29201	Good Standing	Foreign	2002-387-C	2003-532	9/22/03	